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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1312 Session of  
2019

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INTRODUCED BY MURT, A. DAVIS, CALTAGIRONE, ROZZI, MADDEN, ZABEL,  
SCHLOSSBERG, NEILSON, McNEILL, CIRESI, YOUNGBLOOD, DeLUCA,  
McCLINTON, HILL-EVANS AND KENYATTA, APRIL 25, 2019

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 25, 2019

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in criminal history record  
3 information, further providing for expungement of criminal  
4 history record.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 9122(b) of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a paragraph to read:  
9 § 9122. Expungement.

10 \* \* \*

11 (b) Generally.--Criminal history record information may be  
12 expunged when:

13 \* \* \*

14 (4) (i) An individual who is the subject of the  
15 information petitions for expungement of the information  
16 and the individual has been free of arrest or prosecution  
17 following final release from confinement or supervision  
18 for the following time periods:

1           (A) In the case of a misdemeanor of the third  
2           degree or an offense declared to be a misdemeanor,  
3           without specification of degree, seven years.

4           (B) In the case of a misdemeanor of the second  
5           degree committed when the individual was under 25  
6           years of age, ten years.

7           (ii) This paragraph shall not apply to an individual  
8           who has been convicted of:

9           (A) An offense punishable by imprisonment of  
10           more than two years.

11           (B) Four or more offenses punishable by  
12           imprisonment of one or more years.

13           (C) An offense under section 913 (relating to  
14           possession of firearm or other dangerous weapon in  
15           court facility) which is graded as a misdemeanor of  
16           the third degree.

17           (D) A violation of section 2701 (relating to  
18           simple assault), except when the offense is graded as  
19           a misdemeanor of the third degree.

20           (E) A violation of section 3129 (relating to  
21           sexual intercourse with animal).

22           (F) A violation of section 4912 (relating to  
23           impersonating a public servant).

24           (G) A violation of section 4952 (relating to  
25           intimidation of witnesses or victims).

26           (H) A violation of section 4953 (relating to  
27           retaliation against witness, victim or party).

28           (I) A violation of a provision of Chapter 61  
29           (relating to firearms and other dangerous articles).

30           (J) An offense which requires registration under

1                   42 Pa.C.S. Ch. 97 Subch. H (relating to registration  
2                   of sexual offenders).

3                   \* \* \*

4                   Section 2. This act shall take effect in 60 days.